

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

LAWRENCE J. MESITE,
Plaintiff

v.

NEWTON POLICE OFFICER, DAWN HOUGH,
NEWTON POLICE OFFICER, JOANNE BLAY,
NEWTON POLICE OFFICER, DINA VACCA,
CITY OF NEWTON, SUPERINTENDENT,
KENNETH NELSON AND BRIDGEWATER
STATE HOSPITAL
Defendants

CIVIL ACTION
NO. 04-11942GAO

**MEMORANDUM IN SUPPORT OF
MOTION TO COMPEL ANSWERS TO INTERROGATORIES**

Defendants City of Newton Police Officers Dawn Hough, Joanne Blay and Dina Vacca have moved to compel answers to interrogatories by Plaintiff. Defendants submit the instant memorandum illustrating that Plaintiff must answer the interrogatories at issue.

ARGUMENT

Plaintiff has asserted that Defendants violated his civil rights in connection with an incident on September 17, 2001, and Plaintiff's subsequent arrest. (See Complaint). Plaintiff claims that after his arrest, he was placed in Bridgewater State Hospital where he was beaten. (Complaint, ¶¶18, 19).

Plaintiff has been barred in this matter from offering any proof of physical or psychological harm per Order of this Court on April 5, 2007.

On or about April 6, 2007, Defendants served upon Plaintiff a First Set of Interrogatories concerning, inter alia, damages. (Aff. Kahn, ¶3; Exhibit “A”). After granting Plaintiff an

extension of time to enable him to provide answers, Defendants have received no answers to date. (Aff. Kahn, ¶¶4, 5).

CONCLUSION

WHEREFORE, Defendants respectfully request that Plaintiff be ordered to provide answers to Defendant's First Set of Interrogatories within sixty days.

DEFENDANTS,
NEWTON POLICE OFFICERS
DAWN HOUGH, JOANNE BLAY
AND DINA VACCA,

By their attorney,

/s/ Donnalyn B. Lynch Kahn

Donnalyn B. Lynch Kahn (BBO # 556609)
Assistant City Solicitor
City of Newton Law Department
1000 Commonwealth Avenue
Newton Centre, MA 02459
Tel: (617) 796-1240

Dated: July 10, 2007